Application No. 09/944/261

Amendment Dated February 23, 2004

Reply to Office Action of December 17, 2003

Remarks/Arguments:

Amendments

The Title has been amended to reflect the invention now claimed. As suggested by the Examiner, the claims have been amended to more particularly point out and distinctly claim the subject matter that applicants regard as the invention. It is submitted that no new mater is introduced by these amendments.

Rejection under 35 USC 112, first paragraph

Claims 1-3, 5, 10-14, and 49 were rejected under 35 USC 112, first paragraph, because it was alleged that the specification did not enable one of ordinary skill in the art to create a formulation to protect women or pregnant women from contracting various diseases. The preamble of claim 1, on which claims 2, 3, 5, 10-14, and 49 are directly or indirectly dependent, has been amended to recite "A herbal health promotive formulation". It is submitted that his rejection has been overcome. The Title has also been amended.

Rejection under 35 USC 112, second paragraph

Claims 1-3, 5, 10-14, and 49 were rejected under 35 USC 112, second paragraph, as indefinite. Claims 12, 5, 10, 11, 12, 13, 14, and 49 have been amended. It is submitted that these rejections have been overcome.

Conclusion

It is respectfully submitted that the claims are in condition for immediate allowance and a notice to this effect is earnestly solicited. The Examiner is invited to phone applicants' attorney if it is believed that a telephonic or personal interview would expedite prosecution of the application.

Respectfully submitted,

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Dated: February 23, 2004

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